

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

CHARLES A. BROOKS	§	
VS.	§	CIVIL ACTION NO. 1:17-CV-351
CHARLES E. SAMUEL, JR., <i>et al.</i> ,	§	

MEMORANDUM ORDER OVERRULING OBJECTIONS AND  
ADOPTING THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION

Plaintiff, Charles Aaron Brooks, an inmate formerly confined at FCI Beaumont, proceeding *pro se* and *in forma pauperis*, filed this *Bivens*-type<sup>1</sup> action against numerous defendants.

The court referred this matter to the Honorable Keith Giblin United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The Magistrate Judge recommends Plaintiff’s Motion for Temporary Restraining Order and/or Preliminary Injunction be denied (docket entry no. 21 & 24).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, and pleading. Plaintiff filed a Motion for Reconsideration (docket entry no. 28). This Court liberally construes the Motion for Reconsideration as Objections to the Report and Recommendation of United States Magistrate Judge. This requires a *de novo* review of the objections in relation to the pleadings and applicable law. *See* FED. R. CIV. P. 72(b).

After careful consideration, the court finds plaintiff’s objections lacking in merit. Plaintiff’s complaint concerns defendants at FCC Beaumont. Plaintiff’s Motion for Temporary Injunction and/or Motion for Preliminary Injunction concerns individuals at USP Florence. The individuals complained of in the pending motion are not defendants in the above-referenced case. Plaintiff is free to file a separate civil rights action against individuals at USP Florence if he so chooses.


---

<sup>1</sup>*See Bivens v. Six Unknown Named Agents of the Federal Bureau of Narcotics*, 403 U.S. 388 (1971).

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the Magistrate Judge are correct, and the report of the Magistrate Judge is **ADOPTED**.

**SIGNED** this the **28** day of **August, 2018**.

  
Thad Heartfield  
United States District Judge